



**Fw: FOIA Request M/V LST-1166 - clarification of scope , response time , and costs**

**Mary Queitzsch** to: Stephanie Kercheval

07/27/2011 10:40 AM

Here is the email.

v/r,  
Mary

----- Forwarded by Mary Queitzsch/R10/USEPA/US on 07/27/2011 10:39 AM -----

**RE: FOIA Request M/V LST-1166 - clarification of scope , response time , and costs**

**Chris Reilly** to: Mary Queitzsch

07/27/2011 08:17 AM

Cc: Chris Nicoll

Mary,

Please proceed with the FOIA request. We approve costs up to \$1,000. If the response will cost more than that, please notify us in advance. Thanks and best regards,

**CPR**

Chris Reilly  
Nicoll Black & Feig PLLC  
Puget Sound Plaza  
1325 Fourth Avenue, Suite 1650  
Seattle, WA 98101  
[creilly@nicollblack.com](mailto:creilly@nicollblack.com)  
<http://www.nicollblack.com>  
Tel: 206-838-7553  
Cell: 206-375-4006  
Fax: 206-838-7515  
Main: 206-838-7555

**Notice:** This communication, including attachments, may contain information that is confidential and protected by the attorney/client or other privileges. It constitutes non-public information intended to be conveyed only to the designated recipient(s). If the reader or recipient of this communication is not the intended recipient, an employee or agent of the intended recipient who is responsible for delivering it to the intended recipient, or you believe that you have received this communication in error, please notify the sender immediately by return e-mail and promptly delete this e-mail, including attachments without reading or saving them in any manner. The unauthorized use, dissemination, distribution, or reproduction of this e-mail, including attachments, is prohibited and may be unlawful. Receipt by anyone other than the intended recipient(s) is not a waiver of any attorney/client or other privilege.

-----Original Message-----

From: Mary Queitzsch [mailto:Queitzsch.Mary@epamail.epa.gov]

Sent: Tuesday, July 26, 2011 11:17 AM

To: Chris Reilly

Subject: FOIA Request M/V LST-1166 - clarification of scope, response time, and costs

Dear Mr. Reilly:

Thank you for calling me this morning to clarify the scope and timing of your FOIA request in this matter and to discuss the cost of the response.

As to the scope of your request, I understand from our conversation that you are not seeking documents that are attorney work product or attorney-client privileged. I further understand that you are not seeking proprietary documents, i.e. those documents that would meet the FOIA definition of confidential business information, but you would like to know if any such confidential business information documents exist.

Thank you for this clarification.

As to the timing of our Agency's response, you agreed to a twenty (20) day extension at this time with instructions to check in with you for further extensions on response time if needed. We appreciate your flexibility on this point.

Finally, with respect to assurance of payment, you agreed to an amount of up to \$100.00 at this time. You understand that costs are likely to exceed that amount and are seeking authorization from your principals for guarantee of payment for between \$500.00 to \$1,000.00 for the costs associated with the Agency's response. You asked to be contacted when the costs reached \$100.00 and informed me that you would let us know whether additional payment of costs would be guaranteed. Again, your response is appreciated.

Please feel free to call me if you have any questions at this time.

Regards,  
Mary S. Queitzsch

Mary Stroh Queitzsch  
Assistant Regional Counsel  
Office of Regional Counsel  
U.S. EPA, Region 10  
1200 Sixth Avenue, Suite 900, ORC-158  
Seattle, Washington 98101-3140  
phone (206) 553-0145

**\*\* Confidentiality Notice:** This email may contain information that is privileged, confidential or exempt from disclosure from applicable law.